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**Moorish National Republic Federal Government**  
**Northwest Amexem / Northwest Africa / North America / "The North Gate"**  
**Societas Republicae Ea Al Maurikanos**  
**The True and De jure Al Moroccans (Americans)**  
**The Aboriginal / Indigenous Natural People of the Land**

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF TENNESSE**

### **Writ of Habeas Corpus Ad Subjiciendum**

USC Title 28 § 2242, USC Title 28 § 1351 (1) (2)

<b>WARRANT NUMBER</b>	Lawfully Assigned Judicial Officer
<b>CASE NUMBERS: GS 13007643</b>	
Petitioner, Unas Sebkhet Re El And Amunnubi Mintahre El Beyl	<b>EMERGENCY PETITION</b>
Permanent Representative of:	<b>FOR CONSTITUTIONAL</b>
	<b>WRIT OF HABEAS CORPUS</b>
<b>MOORISH DIVINE, NATIONAL MOVEMENT;</b>	<b>AFFIDAVIT IN SUPORT AND</b>
	<b>DEMAND FOR DUE PROCESS OF</b>
	Protected by the 4 <sup>th</sup> amendment
<u><b>PURSUANT TO USC title 28 § 2242: ON BEHALF OF</b></u>	
<u><b>Abka Re BEY</b></u> , In Propria Persona Sui Heredes	<u><b>Petitioners Correspondence</b></u>
Being detained as the Ex Relations (TABITHA GENTRY)	<b>MOORISH SCIENCE TEMPLE OF</b>
	<b>AMERICA, INC</b>
<b>vs.</b>	c/o General Delivery
<b>SHELBY COUNTY DEPARTMENT OF CORRECTION</b>	2833 Alabama Avenue, SE-Suite 31309
Shelby County General Sessions Criminal Court	Near Maryland State Republic
Louis J. Montesi	[20020] {DMM A010 1.2.e2} As Amended
Bill Oldham, Shelby County Sheriff	Non-Domestic

**TO THE SHELBY COUNTY DEPARTMENT OF CORRECTIONS DIRECTOR**  
**Chief Robert Moore; Or Lawfully Assigned Judicial Officer, et al.**

**TO SHELBY COUNTY GENERAL SESSIONS CRIMINAL COURT MAGISTRATE,**  
**MONTESI, or His Lawfully assigned Judicial Officer, et. al. AND BILL OLDHAM**  
**SHELBY COUNTY ELECTED SHERIFF**

**"Associate Justice WILLIAM O. DOUGLAS once wrote, "[W]here police take matters in their own hands, seize victims, beat and pound them until they confess, there cannot be the slightest doubt that the police have deprived the victim of a right under the Constitution, It is the right of the accused to be tried by a legally constituted court, not by a kangaroo court" (*Williams v. United States*, 341 U. S. 97, 71 S. Ct. 576, 95 L. ED. 774 [1951]).**

**VERIFACTION / DECLARATION**

Petitioners, Unas Sebkhet Re El and Amunnubi Mintahre El Bey, Permanent Representative of MOORISH DIVINE, NATIONAL MOVEMENT, in association with Abka Re Bey, being competent to make this affidavit in our own writing, state and declare the following facts to be true, correct, certain, complete, not misleading, intended for any improper purpose to wit as an Authorized Representative under the laws of the Moorish Holy Temple of Science of the world/ Moorish Science Temple of America Divine Constitution and By-laws and Council By virtue of The Chapter Dispensation of the Moorish Science Temple Of America not being repugnant to Article 1 Section 10 of the United States Constitution Republic, with Abka Re Bey.

Petitioner, Unas Sebkhet Re El and Amunnubi Mintahre El Bey in full life, a Natural person and Aboriginal Autonomous Autochthon Indigenous inhabitant of North America/Morocco, not in the CORPORATE STATE OF TENNESSEE Jurisdiction, and several states of America Declares and Affirm under the de jure Laws of the Constitution for the United States of America Republic, The Moorish Holy Temple of Science / Moorish Science Temple of America Divine Constitution and By-Laws, and Zodiac Constitution (Nature's Law). The Treaty of Peace and Friendship 1787/1836 Between United States and Morocco Treaty Number 244-1 Petitioner is competent to be a witness, and that the facts contained herein are true, correct, complete, and not misleading to the best of Petitioner/Declarants firsthand knowledge and belief. See attached affidavit in support.

**JURISDICTION**

Abka Re Bey possesses Freehold by Inheritance status; stands squarely affirmed and bound to the Moorish Holy Temple of Science / Moorish Science Temple of America Divine Constitution and By-Laws, and Zodiac Constitution (Nature's Law) with all due respect and honors given to the Constitution for the United States Republic of North America (Amexem). Being a direct descendant of the Moroccans and born in American, the Ancient Moabites from the Land of Moab, who received permission from the Pharaohs of Egypt to settle and inhabit North West Africa (Amexem/America) North Gate. The Moabites / Moors are the founders and are true possessors of the present Moroccan empire; with our Canaanite, Hittite and Amorite brethren who sojourned from the land of Canaan, seeking new homes. Our Dominion and Inhabitation extended from Northeast and southwest Africa, across the Great Atlantis, even unto the present North, South and Central America and the Adjoining Islands: bound squarely affirmed to the Treaty of Peace and Friendship of Seventeen Hundred and Eighty-Seven (1787) A.D, superseded by the Treaty of Peace and Friendship of Eighteen Hundred and Thirty-Six (1836) A.D., In Force the same as displayed under Treaty Law, Obligation, Authority as expressed in Article VI Moroccan [Americas by custom and by culture] and as registered with the Library of Congress and Department of Justice, Washington, District of Columbia- Truth, A1, AA222141 Federal Citizens Foreign Relations and Intercourse. U.S.C 22 and pursuant to Title 8 USC § 1401 (b) – Citizenship.

**Article III Section 2:**

"The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under this authority;--to all cases affecting ambassadors, other public ministers and consuls;--to all cases of admiralty and maritime jurisdiction;--to controversies to which the United States shall be a party; --to controversies between two or more states;--between a state and citizens of another state; --between citizens of different states;--between citizens of the same claiming lands under grants of different states, and between a states, or the citizens thereof, and foreign states, citizens or subjects."

"In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

Petitioner, Unas Sebkhet Re El and Amunnubi Mintahre El Bey is a Lawfully Assigned Judicial Officer (Public Minister ) of the Moorish Divine and National Movement and are granted the proper jurisdiction In Law Pursuant to Federal Rules of Civil Procedure 301, 9(b), Title 22 USC chap2 § 141-145, 28 USC §1330(a)(b)(c), USC 28 § 1331, 28 USC § 1333(1)(2), 28 USC §1343 (a)(1)(2)(3), 28 USC § 1351(1)(2) and the Constitution for The several States of America and the Union created by said Constitution of 1779 A.D. as amended in 1791 A.D., guaranteeing to each state a republican form of government.

# VENUE

The Venue is proper in that Abka Re Bey, is an Aboriginal, Indigenous Moor inhabitant of Northwest Amexem near Tennessee A Republic created by the Constitution for the Several State of America.

Article IV, Section 4: "The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (When the legislature cannot be convened) against domestic violence."

# CAUSE OF ACTION

It has come to our attention that that on the 8<sup>th</sup> day of March our Moorish American National Abka Re Bey was Kidnapped (unlawfully arrested) and is being held hostage for profit by the public servants of THE STATE OF TENNESSEE. Abka Re Bey made a Special appearance before Magistrate Montesi exercising her "Right to Travel" for Case # G.S.13007643 on an unlawfully Arrest that took place by private contractor / employee of the SHELBY COUNTY SHERIFF DEPARTMENT Bill Oldham Sheriff on March 11, 2013. While attending the hearing exercising her right to Travel Magistrate Montesi disregard of the Petitioner substantive right protected by the United States Republic Constitution Article [Amendment] 4 of the Bill of Rights; with the lack of a lawful indictment under the appellation Abka Re Bey was violated. Magistrate Montesi ordered that she be detained at SHELBY COUNTY JAIL EAST CORRECTIONS WOMENS FACILITY EAST MEMPHIS. We have further been notified that our Moorish American National will be held hostage and for Ransom on a \$2,000,000 bond without due process of Law, in violation of her rights to face her accuser, absent of a Lawful sworn Affidavit from an injured party. Further foreign person are being paid to evaluate our Moorish American National in fraudulent 730 examination to determine mental competency. The one arresting has a duty to immediately seek a magistrate,"and failure to do so "makes a case of false imprisonment."Health v.Boyd, 175 S.W 2d. 217 (1943) . "To detain the person arrested in custody for any purpose Other then that of taking him before a magistrate is illegal."Kominsky v. Durand,12 Atl. 2d654 (1940)

Respondent, SHELBY COUNTY SHERIFF DEPARTMENT, after having Knowledge of the International jurisdiction of the Petitioner, conspired with STATE OF TENNESSEE SHELBY COUNTY CRIMINAL COURT by accepting" Prima Facie Evidence" and Notwithstanding Warrant for an false Arrest issued by TENNESSEE SHELBY COUNTY CRIMINAL COURT Magistrate Montesi. In addition of a lack of a United State Republic Constitution Article [Amendment] 4<sup>th</sup> of the Bill of Rights warrant without an Indictment or Delegation of Authority to hinder the Substantive Rights of the Natural People to Due Process Of Law and TENNESSEE SHELBY COUNTY SHERIFF DEPARTMENT for the depravation of Rights to Travel upon the public Highways without a License Excise Tax. Any arrest made with- out warrant, if challenged by the defendant, is presumptively invalid...the burden is upon the state justify it as authorized by statute, and as not violative of constitutional provision. State v. Mastrian, 171 N.W.2d 695(1969); Butler v. State, 212 So. 2d 577(Miss 1968).

SHELBY COUNTY SHERIFF DEPARTMENT has violated the Inalienable Rights of petitioner by enforcing private foreign for profit STATE OF TENNESSEE SHELBY COUNTY CRIMINAL COURT Corporate policies which are not threats to the public safety or arrestable, prosecutable offenses as argued in Christy v. Elliot, 216 I 131, 74 HE 103, LRA NS 1905-1910. The Usurpation of Governmental seats resulted constituted kidnapping (false Arrest) and notwithstanding administration, in which Moorish American is being held for ransom. Alleged Crimes was not Sworn by an affidavit by a De Jure Lawful public servant/officer. SHELBY COUNTY SHERIFF DEPARTMENT, SHELBY COUNTY DEPARTMENT OF CORRECTIONS JAIL EAST WOMEN FACILITY are in violation of the following:

**ADMENDMENT IV OF THE CONSTITUTION FOR THE UNITED STATES REPUBLIC** The right of the people to be secure in their person, house, papers, and effects, against unreasonable searches and seizures, shall issue except upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the papers and things to be seized.

**Section 8: IN HARMONY WITH ADMENDMENT V OF THE CONSTITUTION FOR THE UNITED STATES REPUBLIC...** No person shall be held to answer for a criminal offence, unless on the presentment or indictment of a grand jury, except in case of impeachment, or in cases now prosecuted without indictment, or arising in the army or navy or in the militia, when in actual services in time of war or public danger.

**Section 9:** The right to trial by jury shall remain inviolate; but the legislature may authorize the trail of civil causes by a jury of six persons. The legislature may provide that in any civil cause a verdict may be rendered by not less than five-sixth of the jury. The legislature may authorize the trail of mental competency without a jury.

**INDICTMENT (As Defined By Blacks Law Dictionary Fourth Edition)**

**Crim. Law, practice**

A written accusation one more persons of a crime or misdemeanor, presented to, and preferred upon oath or affirmation, by grand jury legally convoked. 4 Bl.Com. 299; Co Litt. 126;2 Hale,152; Bac. Ab. H. t.; Com. Dig. H. t A; 1 Chit. Cr. L. 168.

This word, indictment, is said to be derived from the French word inditer, which dignifies to indicate; to show, or point out. Its objects is to indicate the offence charged against the accused. Rey, des Inst.1'Angl. Tome 2, p.347.

Section 2249. Certified copies of indictment, pleas and judgment; duty of respondent on application for a writ of Habeas corpus to inquire into detention of any person pursuant to a judgment of a court of the United States, the respondent shall promptly file with the court certified copies of the indictment, plea and the judgment, or such of them may be material to the questions raised, if the petitioner fails to attach them to his petition, and same shall be attached to the return to the writ, or to the answer to the order to show cause.

The offence ought to be properly described. This is done by stating the substantial circumstances necessary to show the nature of the crime and, next the formal allegations and terms of act required by law. 1. As to the substantial circumstances. The whole of the facts of the case necessary to make it appear judicially to the court that the indicators have gone upon sufficient premises, should be set forth; but there should be no unnecessary matter or anything which on its face makes the indictment repugnant, inconsistent, or absurd. Hale,182; Hawk. B 2, c. 25, s. 57; Ab. H. 1; Com. Dig. H.t. G 3;2 Leach, 660; 2 Str. 1226. All indictment ought to charge a man with a particular offence, and not with being an offender in general: to this rule there are some exceptions, as indictments against a common barrater, a common scold, and the keeper of a common bawdy house; such persons may be indicted by these general words. 1. Chit. Cr. Law2 30, and the authorities there cited.

'The offence must be stated in the disjunctive, so as to leave it uncertain on what it is intended to rely as accusation; as, that the defendant erected or caused to be. Erected a Nuisance. 2Str. 900;Chit.Cr.Law,236.

By Amendment 5 to the Constitution of the United States Republic, No person shall be held To answer for a capital, or otherwise infamous crime, unless on a presentment or indictment Of a grand jury , except in case arising in the land or naval force, or in the militia, when in actual service in time of war, or public danger."

Where provision are not made to address Foreign Relations and Intercourse in a Consular Court ,Title 22 USC chap 2§ 141. USC Title 28 § 1351(1)(2) an prescribed by law , then no Jurisdiction exists! A Court of General Sessions, Consulars and officials representing both Nations/nationals, present and in Propria would be proper jurisdiction. All parties would operate in time by De jure Constitutional and Treaty law.

If there is no proper jurisdiction or venue, then on lawful or legal trial can be held, therefore,

all rights revert back to the People (Self-government with Sovereign Authority). This is where Certificate AA 222141 Clearly proves its purpose. When government Officials supersede their jurisdiction, or deny lawful due process, redress , recourse and remedy, "At Law", then they are criminals, and are traitors to the Constitution and Treaty to which they are bound by law and from whence they derive any Authority at all! This is where the Supreme Law of the land comes into effect.

United Nations DECLARATION on the RIGHTS of INDIGENOUS PEOPLE

**Article 37**

Indigenous people have the rights to the recognition, observance and enforcement of Treaties, Agreement and Other constructive Arrangements concluded with states or their successors, according to their original spirit And intent, and to have states honor and respect such Treaties, Agreement and other constructive arrangements, conflicts and disputes which cannot otherwise be settled to should be submitted to competent International bodies Agreed to by all Parties concerned.

**Article 40**

"Indigenous people have the rights to have access to and prompt decision though just and fair procedures for resolution of conflict and disputes with states, as well as to effective remedies for all infringement of their Individual and collective Rights. Such a decision shall give due consideration the customs, tradition, rules and Legal System of the Indigenous people concerned and international human rights."

**Due PROCESS OF LAW**

**(As Defined By Black Law Dictionary Fourth Edition)**

"Due process of law in each particular case means such an exercise of the powers of the government as the settled maxims of law permit and sanction, and under such safe guards for the protection of individual rights as those maxims prescribe for the class of cases to which the one in question belongs."

"They then means a course of legal proceeding according to those rules and principles Which have been established in our systems of jurisprudence for the enforcement and protection of private rights. To give such proceedings any validity, there must be a tribunal competent by its constitution-that is ,by the law of its creation-to pass upon the Subject-matter of suit; and ,if that involves merely a determination of personal liability of the defendant , he must be brought within its jurisdiction by service of process within that state, or his voluntary appearance."

"Due process of law implies the right of the person affected thereby to be present before the tribunal which pronounces judgment upon the question of life, liberty, Or property, in its most comprehensive sense; to be heard, by testimony or other wise, and to have the right of controverting , by proof , every material fact which Be conclusively presumed against him, this is not due process of law."

"The Essential elements of due process of law are notice and opportunity to be Heard and to defend in orderly proceeding adapted to nature of case, and the Guarantee of due process requires that every man have protection of day in Court and benefit of general law."

"A law which hears before it condemns, which proceeds on inquiry and renders judgment only after trial."

**LAW FORM**

The substantive system of the Supreme Law of the land, invoked by Petitioner Unas Sebkhet Re El and Amunnubi Mintahre El Bey for this hearing , is Inalienable Right, as guaranteed to be Secured by the United States America of 1789 A.D and Amended in 1791 A.D Abka Re Bey does not consent to any laws of any state to the Contrary notwithstanding, pursuant to Article VI of the constitution for United States of America, Republic, even though such a Make-up of Rules and Laws may have been presumed in The past Nor does she wave or abandon any of her Rights.

Jurat.

Maghrib al' aqca.  
Northwes Amexem.

Duly subscribed and Affirmed on this 18 day of MARCH One Thousand Four Hundred Thirty-Two M.C. [2013 C.C.Y.] before me, the undersigned, a Wazi [Notary public] for the Moorish National Federal Government, appeared Unas Sebkhet Re El De Jure, by special visitation, known to me upon the basis of satisfactory National Standing to be the one whose appellation [Name] and Autograph/Seal/mark is subscribed hereto, and voluntarily executed the same without threat or force of arms.

Witness my hand and seal:



/s/ Unas Sebkhet Re El  
Amunnubi Mintahre El Bey  
Maurice Bey